

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

11	DARNELL CARD,	No. 2:20-cv-1213-KJM-KJN (PS)
12	Plaintiff,	<u>ORDER</u>
13	v.	(ECF No. 4)
14	BMW OF NORTH AMERICA, LLC,	
15	Defendant.	

17 On July 29, 2020 the magistrate judge filed findings and recommendations (ECF No. 4),
18 which were served on the parties and which contained notice that any objections to the findings
19 and recommendations were to be filed within fourteen (14) days. No objections were filed.

20 The court presumes that any findings of fact are correct. *See Orand v. United States*,
21 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed
22 de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law
23 by the magistrate judge are reviewed de novo by both the district court and [the appellate] court
24"). Having reviewed the file, the court finds the findings and recommendations to be
25 supported by the record and by the proper analysis.

26 Accordingly, IT IS HEREBY ORDERED that:

27 1. The findings and recommendations (ECF No. 4) are ADOPTED IN FULL;

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2. Plaintiff's claims are DISMISSED WITHOUT PREJUDICE as provided by Federal Rule of Civil Procedure 41(b); and
3. The Clerk of Court is directed to CLOSE this case.

DATED: October 15, 2020.

CHIEF UNITED STATES DISTRICT JUDGE